

SEVENTY-NINTH DAY

(Continued)

(Tuesday, June 6, 1939)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Morse.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we are glad for the motto, 'In God We Trust,' and we thank Thee for the rewards of faith and loyalty to God. May the people of our Nation, of our State, and we ourselves, learn that our first and greatest duty is toward Thee. Do Thou qualify us for every task today. In Christ's name. Amen."

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Cleveland for this morning, on account of important business, on motion of Mr. Hamilton.

HOUSE BILL NO. 567 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 567, A bill to be entitled "An Act to provide for the creation of a Commission on Uniform State Laws, the appointment of Commissioners thereto, defining the duties thereof, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—107

Mr. Speaker	Clark
Bailey	Cockrell
Baker	Colquitt
of Fort Bend	Colson, Mrs.
Baker of Grayson	Cornett
Blankenship	Crossley
Boethel	Daniel
Bond	Davis of Jasper
Boyd	Dickison
Boyer	Dickson
Bradbury	Donaghey
Bradford	Dowell
Bridgers	Ferguson
Brown	Fielden
of Nacogdoches	Fuchs
Bundy	Galbreath
Burney	Goodman
Cauthorn	Gordon, Mrs.
Celaya	Hale

Hamilton	Pevehouse
Hankamer	Pope
Harper	Reader of Erath
Harrell of Bastrop	Reaves
Harrell of Lamar	Reed
Harris	Rhodes
Hartzog	Riviere
Holland	Roach
Howard	Roberts
Hull	Robinson
Isaacks	Russell
Johnson of Ellis	Schuenemann
Johnson of Tarrant	Segrist
Keith	Shell
Kennedy	Skiles
Kerr	Smith of Frio
Kersey	Smith of Hopkins
Kinard	Stinson
King	Stoll
Langdon	Talbert
Lehman	Taylor
Leyendecker	Tennant
Little	Thornberry
Lock	Thornton
Mays	Turner
McAlister	Vale
McDaniel	Waggoner
McDonald	Weldon
McFarland	Wells
McMurry	White
McNamara	Wilson
Montgomery	Winfree
Newell	Wood
Nicholson	Worley
Oliver	Wright
Pace	

Nays—14

Allen	Harp
Alsup	Heflin
Anderson	Howington
Chambers	Kern
Davis of Upshur	Morris
Dwyer	Spencer
Hardeman	Westbrook

Present—Not Voting

Broadfoot

Absent

Allison	Hunt
Bell	Loggins
Bray	London
Brown of Cherokee	Mohrmann
Burkett	Petsch
Coleman	Piner
Corry	Ragsdale
Faulkner	Tarwater
Felty	Vint
Gilmer	Voigt
Hardin	

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

HOUSE BILL NO. 641 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 641, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1940, and August 31, 1941, to aid said District in making the necessary surveys and preparing the necessary plans for its construction program, and declaring an emergency."

The bill was read third time.

House Bill No. 641 failed to pass.

Mr. Wood moved to reconsider the vote by which House Bill No. 641 failed to pass, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Allen	Galbreath
Allison	Hale
Alsup	Hamilton
Bailey	Hardeman
Baker of Grayson	Harper
Blankenship	Harrell of Lamar
Bond	Harris
Boyd	Howington
Bradbury	Hull
Bridgers	Hunt
Brown of Cherokee	Isaacks
Brown	Keith
of Nacogdoches	Kennedy
Burkett	Kern
Burney	Kerr
Clark	King
Cornett	Langdon
Corry	Lehman
Crossley	Little
Davis of Upshur	London
Dickson	Mays
Dowell	McDaniel
Faulkner	McDonald
Ferguson	Mohrmann
Fielden	Morris
Fuchs	Newell

Oliver	Stinson
Pace	Stoll
Petsch	Tennant
Pevehouse	Thornberry
Reaves	Vint
Rhodes	Voigt
Riviere	Waggoner
Roach	Wells
Roberts	Westbrook
Russell	Wilson
Segrist	Wood
Skiles	Worley
Spencer	

Nays—51

Anderson	Johnson of Tarrant
Baker	Kersey
of Fort Bend	Leyendecker
Bell	Lock
Boethel	McAlister
Boyer	McMurry
Bradford	McNamara
Bundy	Montgomery
Cauthorn	Nicholson
Celaya	Piner
Cockrell	Pope
Colquitt	Reader of Erath
Colson, Mrs.	Reed
Daniel	Robinson
Davis of Jasper	Schuenemann
Dickison	Shell
Dwyer	Smith of Frio
Gordon, Mrs.	Talbert
Hankamer	Tarwater
Hardin	Taylor
Harp	Thornton
Harrell of Bastrop	Vale
Hartzog	Weldon
Heflin	White
Holland	Winfree
Johnson of Ellis	Wright

Absent

Bray	Howard
Broadfoot	Kinard
Chambers	Loggins
Coleman	McFarland
Donaghey	Ragsdale
Felty	Smith of Hopkins
Gilmer	Turner
Goodman	

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

HOUSE BILL NO. 748 ON THIRD READING

The Speaker laid before the House, on its third reading, and final passage,

H. B. No. 748, A bill to be entitled "An Act to aid the City of Port

Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of 20 years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor, and to declare an emergency; by extending the provisions of said Act for a period of 30 years from September 1st, 1920, to aid the City of Port Lavaca to pay interest and sinking funds upon outstanding bonds heretofore issued or hereafter issued, the proceeds of which have been used exclusively in the construction and maintaining a sea wall, breakwater, harbor and shore protection, to protect the City of Port Lavaca and issues bonds for further construction; providing that said remission shall not affect the homestead exemption in said County, and providing the Act shall become null and void upon the passage of the Constitutional amendment abolishing the State ad valorem tax."

The bill was read third time.

House Bill No. 748 failed to pass.

Mr. Wood moved to reconsider the vote by which House Bill No. 748 failed to pass, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—74

Allen	Burkett
Allison	Burney
Bailey	Chambers
Baker of Grayson	Colquitt
Blankenship	Cornett
Bond	Corry
Boyd	Crossley
Bradbury	Daniel
Bridgers	Davis of Upshur
Broadfoot	Dowell
Brown of Cherokee	Faulkner
Brown	Ferguson
of Nacogdoches	Fielden

Fuchs	Oliver
Galbreath	Pace
Hale	Petsch
Hamilton	Pevehouse
Hardeman	Reaves
Harper	Rhodes
Harrell of Lamar	Roach
Harris	Russell
Howington	Segrist
Hull	Skiles
Hunt	Spencer
Isaacks	Stoll
Keith	Talbert
Kennedy	Tarwater
Kern	Tennant
Kerr	Thornberry
Langdon	Vint
Lehman	Weldon
Little	Wells
London	Westbrook
Mays	Wilson
McDonald	Wood
Mohrmann	Worley
Morris	Wright
Newell	

Nays—50

Alsup	King
Bell	Leyendecker
Boethel	Lock
Boyer	McAlister
Bradford	McDaniel
Bundy	McMurry
Cauthorn	McNamara
Celaya	Montgomery
Clark	Nicholson
Cockrell	Pope
Coleman	Ragsdale
Colson, Mrs.	Reader of Erath
Davis of Jasper	Reed
Dickison	Riviere
Dwyer	Roberts
Goodman	Robinson
Gordon, Mrs.	Schuenemann
Hankamer	Shell
Hardin	Stinson
Harp	Taylor
Hartzog	Thornton
Heflin	Vale
Johnson of Ellis	Voigt
Johnson of Tarrant	White
Kersey	Winfree

Absent

Anderson	Holland
Baker	Kinard
of Fort Bend	Loggins
Bray	McFarland
Dickson	Piner
Donaghey	Smith of Frio
Felty	Smith of Hopkins
Gilmer	Turner
Harrell of Bastrop	Waggoner

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Howard	of Matagorda
Leonard	

HOUSE BILL NO. 961 ON THIRD READING

The Speaker laid before the House, on its third reading, and final passage,

H. B. No. 961, A bill to be entitled "An Act to aid the Counties of Lampasas, San Saba, and McCulloch in protecting their flooded areas and public court houses from calamitous overflows by donating and granting to them all State ad valorem, occupation and poll taxes collected on property and from persons in said Counties for a period of ten years, and declaring an emergency."

The bill was read third time.

Mr. Wood raised a point of order, on further consideration of House Bill No. 961 at this time, on the ground that the bill violates Section 10 of Article 8 of the Constitution.

The Speaker overruled the point of order.

House Bill No. 961 failed to pass.

Mr. Wood moved to reconsider the vote by which House Bill No. 961 failed to pass, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—78

Allen	Cornett
Allison	Corry
Alsup	Crossley
Bailey	Davis of Upshur
Baker of Grayson	Dickson
Blankenship	Dowell
Bond	Faulkner
Bradbury	Felty
Bradford	Ferguson
Bridgers	Fielden
Broadfoot	Fuchs
Brown of Cherokee	Galbreath
Brown	Hale
of Nacogdoches	Hamilton
Burkett	Hardeman
Chambers	Harper
Clark	Harrell of Lamar
Colquitt	Harris

Howington
Hull
Hunt
Isaacks
Keith
Kennedy
Kern
Kerr
King
Langdon
Lehman
Little
London
Mays
McDonald
Mohrmann
Morris
Newell
Nicholson
Pace
Petsch
Pevehouse

Reaves
Rhodes
Riviere
Roach
Roberts
Russell
Segrist
Skiles
Spencer
Stinson
Stoll
Talbert
Tennant
Vint
Waggoner
Weldon
Wells
Wilson
Wood
Worley
Wright

Nays—48

Anderson
Baker
of Fort Bend
Bell
Boethel
Boyd
Boyer
Bundy
Burney
Cauthorn
Celaya
Cockrell
Colson, Mrs.
Daniel
Davis of Jasper
Dickison
Dwyer
Gilmer
Goodman
Hankamer
Hardin
Harp
Harrell of Bastrop
Hartzog
Heflin

Holland
Johnson of Ellis
Johnson of Tarrant
Kersey
Leyendecker
Lock
McAlister
McMurry
McNamara
Montgomery
Pope
Ragsdale
Reader of Erath
Reed
Robinson
Schuenemann
Shell
Tarwater
Taylor
Thornberry
Thornton
Vale
Westbrook
White

Absent

Bray	McFarland
Coleman	Oliver
Donaghey	Piner
Gordon, Mrs.	Smith of Frio
Howard	Smith of Hopkins
Kinard	Turner
Loggins	Voigt
McDaniel	Winfree

Absent—Excused

Cleveland	Derden
Dean	Leonard

Monkhouse
Reader of Bexar

Smith
of Matagorda

HOUSE BILL NO. 1048 ON THIRD READING

The Speaker laid before the House, on its third reading, and final passage,

H. B. No. 1048, A bill to be entitled "An Act remitting State ad valorem taxes to certain school districts in this State; fixing the term of such remission; stating calamities authorizing such remission, and declaring an emergency."

The bill was read third time.

House Bill No. 1048 failed to pass.

Mr. Wood moved to reconsider the vote by which House Bill No. 1048 failed to pass, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—71

Allison	Johnson of Ellis
Alsup	Keith
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Blankenship	King
Boethel	Langdon
Bond	Lehman
Boyd	Little
Bridgers	London
Broadfoot	Mays
Brown of Cherokee	McDonald
Brown	Morris
of Nacogdoches	Newell
Chambers	Nicholson
Clark	Petsch
Coleman	Piner
Colquitt	Reaves
Cornett	Rhodes
Corry	Riviere
Crossley	Roach
Davis of Upshur	Roberts
Dickson	Russell
Faulkner	Segrist
Fuchs	Skiles
Galbreath	Stinson
Hale	Talbert
Hamilton	Tarwater
Hardeman	Tennant
Harper	Thornberry
Harrell of Lamar	Vint
Harris	Voigt
Howington	Waggoner
Hunt	Weldon
Isaacks	Wells

Wood
Worley

Wright

Nays—56

Allen	Holland
Anderson	Johnson of Tarrant
Bailey	Kersey
Bell	Leyendecker
Boyer	Lock
Bradbury	McAlister
Bradford	McMurry
Bundy	McNamara
Burkett	Montgomery
Cauthorn	Pace
Celaya	Pevehouse
Cockrell	Pope
Colson, Mrs.	Ragsdale
Daniel	Reader of Erath
Davis of Jasper	Reed
Dickson	Robinson
Dwyer	Schuenemann
Ferguson	Shell
Fielden	Spencer
Gilmer	Stoll
Goodman	Taylor
Gordon, Mrs.	Thornton
Hankamer	Turner
Hardin	Vale
Harp	Westbrook
Harrell of Bastrop	White
Hartzog	Wilson
Heflin	Winfree

Absent

Bray	Loggins
Burney	McDaniel
Donaghey	McFarland
Dowell	Mohrmann
Felty	Oliver
Howard	Smith of Frio
Hull	Smith of Hopkins
Kinard	

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

HOUSE BILL NO. 451 ON PASSAGE TO ENGROSSMENT

Mr. Dwyer moved to take up, for consideration, at this time,

H. B. No. 451, A bill to be entitled "An Act defining certain words, terms and phrases used herein; levying a luxury tax of two (2%) per cent of the gross receipts of the sale of all tangible personal property sold in this State; providing that such tax shall not apply to sales of foodstuffs, compounds of drugs filled by a prescription of a duly licensed physician

and clothing where the retail sale price of each item of clothing does not exceed the sum of Ten (\$10.00) Dollars; providing for a luxury tax of two (2%) per cent of the gross receipts of any person engaging in the business and from the sales of admission tickets, cash admissions, charges and fees to places of amusement, games and athletic events; etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Dwyer, and amendment by Mr. Dwyer to the amendment, pending.

The bill having been laid on the table subject to call, and due notice having been given, that a motion would be made to call same from the table today.

Question recurring on the motion by Mr. Dwyer, to call House Bill No. 451 from the table, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—85

Allison	Hamilton
Alsup	Harp
Bailey	Harper
Baker of Grayson	Harrell of Bastrop
Boethel	Harrell of Lamar
Boyd	Harris
Bradbury	Heflin
Brown of Cherokee	Holland
Brown	Howington
of Nacogdoches	Hull
Bundy	Hunt
Burkett	Johnson of Ellis
Burney	Kern
Cauthorn	Kerr
Celaya	Kersey
Chambers	King
Cockrell	Langdon
Coleman	Lehman
Cornett	Leyendecker
Crossley	London
Daniel	Mays
Davis of Jasper	McDonald
Davis of Upshur	McMurry
Dickison	McNamara
Dickson	Montgomery
Dwyer	Morris
Faulkner	Newell
Ferguson	Oliver
Fielden	Pevehouse
Fuchs	Piner
Galbreath	Reader of Erath
Gilmer	Rhodes
Goodman	Roberts
Gordon, Mrs.	Skiles
Hale	Spencer

Talbert	Weldon
Tarwater	Wells
Taylor	Westbrook
Thornton	White
Turner	Wilson
Vale	Winfree
Vint	Worley
Voigt	Wright

Nays—39

Allen	McDaniel
Anderson	Mohrmann
Baker	Nicholson
of Fort Bend	Pace
Bell	Petsch
Blankenship	Reaves
Boyer	Reed
Bradford	Riviere
Clark	Roach
Colquitt	Robinson
Corry	Russell
Dowell	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Stinson
Isaacks	Stoll
Johnson of Tarrant	Tennant
Keith	Thornberry
Kennedy	Waggoner
McAlister	Wood

Present—Not Voting

Bond

Absent

Bray	Little
Bridgers	Lock
Broadfoot	Loggins
Colson, Mrs.	McFarland
Donaghey	Pope
Felty	Ragsdale
Hartzog	Smith of Frio
Howard	Smith of Hopkins
Kinard	

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

The Speaker then laid House Bill No. 451 before the House.

Question—Shall House Bill No. 451 pass to engrossment?

Mr. Anderson moved that House Bill No. 451 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—53

Allen	Baker
Anderson	of Fort Bend

Bell	McDonald
Blankenship	McFarland
Boyd	Morris
Boyer	Nicholson
Bradford	Pace
Bray	Petsch
Bridgers	Reaves
Burney	Reed
Clark	Riviere
Colquitt	Roberts
Corry	Robinson
Donaghey	Russell
Dowell	Schuenemann
Felty	Segrist
Gilmer	Shell
Hankamer	Skiles
Hardeman	Stinson
Hardin	Stoll
Isaacks	Talbert
Keith	Tarwater
Kennedy	Tennant
Kersey	Thornberry
Langdon	Voigt
McAlister	Waggoner
McDaniel	Weldon

Nays—69

Allison	Howington
Bailey	Hunt
Baker of Grayson	Johnson of Ellis
Boethel	Johnson of Tarrant
Bradbury	Kern
Brown of Cherokee	Kerr
Brown	King
of Nacogdoches	Lehman
Bundy	Leyendecker
Burkett	Little
Cauthorn	Lock
Celaya	Loggins
Chambers	London
Cockrell	McMurry
Coleman	McNamara
Cornett	Montgomery
Crossley	Oliver
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Reader of Erath
Dickison	Rhodes
Dickson	Roach
Dwyer	Smith of Frio
Faulkner	Spencer
Ferguson	Taylor
Fuchs	Thornton
Galbreath	Turner
Gordon, Mrs.	Vale
Hale	Wells
Hamilton	Westbrook
Harp	White
Harper	Wilson
Harris	Wood
Hartzog	Worley
Holland	Wright

Present—Not Voting
Newell

Absent

Alsup	Hull
Bond	Kinard
Broadfoot	Mays
Colson, Mrs.	Mohrmann
Fielden	Pope
Goodman	Ragsdale
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Vint
Heflin	Winfree
Howard	

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

(Pending consideration of House Bill No. 451, Mr. Thornton occupied the Chair, temporarily.)

(Speaker in the Chair.)

Mr. Petsch moved that House Bill No. 451 be tabled.

The motion to table was lost.

Mr. Alsup moved that House Bill No. 451 be laid on the table subject to call.

Question recurring on the motion by Mr. Alsup, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—64

Allen	Hartzog
Alsup	Heflin
Boyd	Howard
Boyer	Keith
Bradford	Kennedy
Bray	Kinard
Bridgers	Langdon
Broadfoot	Little
Burkett	Loggins
Celaya	McAlister
Clark	McDaniel
Colquitt	McDonald
Cornett	McFarland
Corry	Mohrmann
Davis of Jasper	Montgomery
Dickson	Nicholson
Donaghey	Pace
Dowell	Petsch
Felty	Reed
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hankamer	Robinson
Hardeman	Russell
Hardin	Schuenemann
Harper	Shell
Harrell of Lamar	Smith of Frio

Smith of Hopkins	Vint
Stinson	Voigt
Stoll	Waggoner
Tennant	Weldon
Thornberry	Worley

Nays—60

Allison	Howington
Bailey	Hunt
Baker	Isaacks
of Fort Bend	Johnson of Ellis
Baker of Grayson	Kern
Bell	Kerr
Boethel	Lehman
Bradbury	Leyendecker
Brown of Cherokee	Lock
Brown	London
of Nacogdoches	Mays
Burney	McNamara
Cauthorn	Newell
Chambers	Oliver
Cockrell	Pevehouse
Coleman	Piner
Crossley	Ragsdale
Daniel	Reader of Erath
Davis of Upshur	Rhodes
Dickison	Skiles
Faulkner	Spencer
Ferguson	Talbert
Fielden	Tarwater
Fuchs	Taylor
Galbreath	Thornton
Hale	Turner
Hamilton	Wells
Harp	Westbrook
Harrell of Bastrop	Wilson
Harris	Winfree
Holland	Wright

Absent

Anderson	King
Blankenship	McMurry
Bond	Morris
Bundy	Pope
Colson, Mrs.	Reaves
Dwyer	Segrist
Hull	Vale
Johnson of Tarrant	White
Kersey	Wood

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 132 .

Mr. Alsup submitted the following Conference Committee Report on House Bill No. 132:

Austin, Texas, June 5, 1939.

Honorable R. Emmett Morse, Speaker of the House of Representatives.

Honorable Coke R. Stevenson, President of the Senate.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 132, have had the same under consideration and beg leave to report same back with the recommendation that said House Bill No. 132 do pass in the form attached hereto.

VAN ZANDT,
PACE,
WEINERT,
MOORE,
MARTIN,

On the part of the Senate.

ALSUP,
ISAACKS,
WOOD,
TAYLOR,
SMITH of Hopkins,

On the part of the House.

H. B. No. 132

A BILL

To Be Entitled

An Act making it unlawful for any one representing any applicant or recipient of assistance to the aged, needy blind, dependent child, or child welfare service, with respect to applications before the State department, to charge a fee in excess of Ten (\$10.00) Dollars in representing such applicant; and making it unlawful for anyone to advertise, hold himself out for, or solicit the procurement of assistance or service; and making it unlawful for any one to solicit or collect dues or money, for themselves or for others, for the purpose or pretended purpose of collecting or advertising or sponsoring old age pensions or benefits for any person from the Social Security program as it applies to old age assistance, needy blind persons and dependent and destitute children; making provisions for certain organizations; prescribing a penalty for violation of the pro-

visions of this Act; authorizing the Attorney General to bring civil suits to enforce this Act, and placing venue of said suits in Travis County; repealing all laws or parts of laws in conflict herewith; providing a savings clause, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. It shall be unlawful for any attorney-at-law, or attorney-in-fact, or any other person, firm or corporation whatsoever, representing any applicant or recipient of assistance to the aged, to the needy blind, or to any needy dependent child, or for any child welfare service with respect to any application before the State department, or any of its agents, to charge a fee for his services in excess of Ten (\$10.00) Dollars in aiding or representing any such applicant before the State department, or for any other service in aiding such applicant to secure assistance of service. It shall likewise be unlawful for any person, firm, or corporation to advertise, hold himself out for, or solicit the procurement of assistance or service.

Section 2. It shall be unlawful for any person, firm or corporation to solicit or collect dues or money for himself or itself, or any organization, association, partnership or corporation for the purpose or pretended purpose of collecting, or aiding in the collection of, or advertising or sponsoring old age pensions of any kind, or benefits for any person or group of persons from the Social Security program as it applies to old age assistance, blind persons, or dependent and destitute children; provided, however, an attorney-at-law, or attorney-in-fact, or any other person, representing any applicant or recipient of assistance to the aged, to the needy blind, or to any needy dependent child, or for any child welfare service with respect to any application before the State department, or any of its agents, may charge a fee for his services not in excess of Ten (\$10.00) Dollars in aiding or representing any such applicant before the State Department, or for any other service in aiding such applicant to secure assistance of service.

Section 3. Nothing in this Act shall prohibit persons receiving Social Security Benefits from the State of Texas or from the United States Government, or who are eligible to receive Social Security Benefits from the State of Texas or from the United States Government, from organizing and sponsoring Social Security legislation.

Section 4. Any attorney-at-law, or attorney-in-fact, or any other person, acting for himself or as the agent or representative of a firm, corporation, organization, association, or other person, who violates this Act in any manner shall be deemed guilty of a felony and shall, upon conviction, be confined in the county jail for a term of not less than thirty (30) days nor more than one (1) year or be confined in the State Penitentiary for a term of not less than one (1) nor more than five (5) years.

Section 5. The Attorney General of Texas shall have the authority, right and power to bring civil suits to enforce the provisions of this Act and to enjoin any violations thereof, and suits for injunction brought by the Attorney General shall be tried as ordinary injunction suits, and the venue of all of said suits shall be in Travis County.

Section 6. All laws and parts of laws in conflict herewith passed at this session or any other session are hereby expressly repealed.

Section 7. If any part of this Act is held to be unconstitutional or otherwise invalid such unconstitutionality or invalidity shall not impair the remaining part of this Act.

Section 8. The fact that the people of Texas are being subjected to nefarious advertising and soliciting schemes that result in the obtaining of money by various persons from the people of Texas, which persons can in no way assist them in their efforts to obtain security benefits provided for now under the laws of the State of Texas and/or the United States creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule requiring bills to be read on three several days in each House, and the Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Alsup, the Report was adopted by the following vote:

Yeas—126

Allison	Hunt
Alsup	Isaacks
Bailey	Johnson of Ellis
Baker	Johnson of Tarrant
of Fort Bend	Keith
Bell	Kennedy
Blankenship	Kern
Boethel	Kerr
Bond	Kersey
Boyd	King
Boyer	Langdon
Bradbury	Lehman
Bradford	Leyendecker
Bray	Little
Bridgers	Lock
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Burney	McFarland
Cauthorn	McMurry
Celaya	McNamara
Chambers	Mohrmann
Clark	Montgomery
Cockrell	Morris
Coleman	Newell
Colquitt	Nicholson
Colson, Mrs.	Oliver
Cornett	Pace
Crossley	Petsch
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Ragsdale
Dickson	Reader of Erath
Dickson	Reaves
Donaghey	Reed
Dowell	Rhodes
Dwyer	Riviere
Faulkner	Roach
Felty	Roberts
Ferguson	Robinson
Fielden	Russell
Fuchs	Schuenemann
Galbreath	Shell
Goodman	Skiles
Gordon, Mrs.	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Spencer
Hankamer	Stinson
Hardeman	Stoll
Hardin	Talbert
Harper	Tarwater
Harrell of Lamar	Taylor
Harris	Tennant
Hartzog	Thornton
Heflin	Turner
Holland	Vale
Howard	Vint
Howington	Voigt
Hull	Waggoner

Weldon
Wells
White
Wilson

Winfree
Wood
Worley
Wright

Nays—4

Broadfoot
Brown of Cherokee

Thornberry
Westbrook

Absent

Allen	Harrell of Bastrop
Anderson	Kinard
Baker of Grayson	Loggins
Corry	McDonald
Gilmer	Pope
Harp	Segrist

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

INVITATION TO MEMBERS OF THE HOUSE

Mr. Loggins offered the following resolution:

H. S. R. No. 314, Invitation to Members of the House.

Whereas, There is present today in the Capitol a delegation from the Alabama and Coushatti Indian Reservation; and

Whereas, The Alabama Coushatti Indians are desirous of extending an invitation to the Members of the Legislature to attend their annual Pow Wow; now, therefore, be it

Resolved by the House of Representatives, That they be invited to the Hall of the House of Representatives to extend this invitation at 11:45 a. m., this morning, June 6, 1939.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort the visitors to the Speaker's stand: Messrs. Loggins, Kersey, Ragsdale, Lock and Faulkner.

(Mr. Boyer in the Chair.)

The committee having escorted the visitors to the Speaker's stand, the Chair presented Mr. Loggins, who in turn introduced Dr. W. W. Flowers.

Dr. Flowers then introduced the visitors to the House, who extended an invitation to the Members of the

House to attend the annual Pow Wow of the Coshatti Indians to be held in Livingston, June 16.

(Speaker in the Chair.)

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Alsup offered the following resolution:

H. C. R. No. 182, To provide for adjournment sine die.

Be It Resolved by the House of Representatives, the Senate of Texas concurring, That conditioned that the Senate adopt this resolution on or before June 7, 1939, the Regular Session of the Forty-sixth Legislature stand adjourned sine die on Friday, June 16, 1939, at 12:00 o'clock noon.

ALSUP,
HULL,
HANKAMER,
BRAY,
BURKETT,
RUSSELL,
GOODMAN,
TALBERT,
BOYER,
DONAGHEY,
VALE,
WOOD,
REED,
McALISTER,
BRADFORD,
DICKSON,
TAYLOR,
WAGGONER,
SHELL,
HEFLIN,
CORY,
THORNTON,
ROBERTS,
BLANKENSHIP,
CELAYA,
LOGGINS,
HARTZOG,
SEGRIST,
CLEVELAND,
CLARK,
JOHNSON of Tarrant,
KINARD.

Mr. Fielden moved that the resolution be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—83

Allen	Baker
Allison	of Fort Bend
Bailey	Bell

Boyd	Little
Bradbury	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	Mays
Brown	McDonald
of Nacogdoches	McNamara
Burney	Mohrmann
Chambers	Morris
Cockrell	Newell
Coleman	Oliver
Colson, Mrs.	Pace
Cornett	Petsch
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Reader of Erath
Dickison	Reaves
Dwyer	Rhodes
Faulkner	Riviere
Ferguson	Roach
Fielden	Robinson
Fuchs	Skiles
Gordon, Mrs.	Smith of Frio
Hale	Spencer
Hardeman	Stoll
Harper	Tarwater
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Harris	Turner
Holland	Vint
Howington	Voigt
Hunt	Waggoner
Isaacks	Weldon
Keith	Wells
Kennedy	Westbrook
Kern	White
Kerr	Wilson
King	Winfree
Langdon	Worley
Lehman	

Nays—55

Alsup	Hardin
Anderson	Harp
Baker of Grayson	Hartzog
Blankenship	Howard
Boethel	Hull
Bond	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradford	Kersey
Bray	Kinard
Bundy	Leyendecker
Burkett	McAlister
Cauthorn	McDaniel
Celaya	McFarland
Clark	McMurry
Corry	Montgomery
Crossley	Nicholson
Dickson	Pope
Donaghey	Ragsdale
Dowell	Reed
Felty	Roberts
Galbreath	Russell
Gilmer	Schuenemann
Hankamer	Segrist

Shell	Thornton
Smith of Hopkins	Vale
Stinson	Wood
Talbert	Wright
Taylor	

Absent

Colquitt	Hamilton
Goodman	Heflin

Absent—Excused

Cleveland	Monkhouse
Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

MESSAGE FROM THE SENATE

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 1000.

The following have been appointed, on the part of the Senate: Senators Winfield, Spears, Brownlee, Metcalfe and Kelley.

The Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 190.

The following have been appointed, on the part of the Senate: Senators Nelson, Martin, Kelley, Aikin and Stone of Galveston.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Faulkner, the House, at 12:05 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 23 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act to be known and cited as the

Texas Farm Tenancy Act; to state the general purpose of this Act; to establish a code of working relationships between Texas tenant farmers and landlords; to encourage the development of more profitable farm practices; to provide protection of the rights of the tenant farmers, landlords and the State of Texas in the enterprise known as tenant farming; etc., and declaring an emergency."

The bill was read second time.

(Mr. Thornton in the Chair.)

Mr. Davis of Upshur moved that House Bill No. 23 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—110

Allen	Hale
Alsup	Hamilton
Bailey	Hankamer
Baker	Hardeman
of Fort Bend	Hardin
Baker of Grayson	Harp
Blankenship	Harper
Boethel	Harrell of Lamar
Bond	Harris
Boyd	Hartzog
Boyer	Holland
Bray	Howard
Bridgers	Hunt
Broadfoot	Isaacks
Brown of Cherokee	Johnson of Ellis
Brown	Keith
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	King
Burney	Langdon
Cauthorn	Lehman
Celaya	Leyendecker
Cleveland	Little
Cockrell	London
Coleman	Mays
Colquitt	McDaniel
Colson, Mrs.	McDonald
Crossley	McFarland
Daniel	McMurry
Davis of Upshur	McNamara
Dickison	Mohrmann
Donaghey	Montgomery
Dwyer	Newell
Faulkner	Nicholson
Felty	Oliver
Ferguson	Pace
Fielden	Petsch
Fuchs	Pope
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed
Gordon, Mrs.	Rhodes

Riviere	Taylor
Roach	Tennant
Roberts	Thornberry
Robinson	Turner
Russell	Vale
Schuenemann	Vint
Shell	Voigt
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Stinson	Wilson
Stoll	Winfree
Talbert	Wood
Tarwater	Wright

Nays—20

Allison	Heflin
Bell	Johnson of Tarrant
Bradbury	Kerr
Bradford	Kersey
Chambers	Lock
Clark	McAlister
Cornett	Piner
Corry	Ragsdale
Dowell	Spencer
Harrell of Bastrop	Worley

Absent

Anderson	Morris
Davis of Jasper	Pevehouse
Dickson	Segrist
Howington	Thornton
Hull	Westbrook
Kinard	White
Loggins	

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda
Monkhouse	

HOUSE BILL NO. 25 ON SECOND READING

The Chair laid before the House, on its second reading, and passage to engrossment,

H. B. No. 25. A bill to be entitled "An Act authorizing and directing the Board of Regents of the University of Texas to establish and maintain military training at said institution, and providing that said course of study may consist of various branches of the military service and authorizing the Board of Regents to enter into contracts with the War Department of the United States for the establishment of the Reserve Officers' Training Corp at the University of Texas under the National Defense Act, and declaring an emergency."

The bill was read second time.

Mr. Faulkner moved that further consideration of House Bill No. 25 be postponed until January 1, 1940.

Mr. Goodman moved to table the motion to postpone.

The motion to table prevailed.

Mr. Cornett offered the following amendment to the bill:

Amend House Bill No. 25, by adding at the end of Section 1, the following:

"Military training shall never be instituted at the University of Texas until the student body and the faculty at such institution shall have voted affirmatively at a regular student election at which the question is submitted. If two-thirds of the student body at said institution vote affirmatively for voluntary military training, such training shall be instituted regardless of the vote cast by the faculty."

Mr. Petsch raised a point of order, on further consideration of the amendment, on the ground that the amendment violates certain constitutional provisions.

The Chair overruled the point of order.

(Speaker in the Chair.)

On motion of Mr. Hale, the amendment by Mr. Cornett was tabled.

Mr. Petsch offered the following committee amendment to the bill:

Amend House Bill No. 25, by striking out Section 1 of the bill and substituting therefor, the following:

"Section 1. The Board of Regents of the University of Texas is directed to request the War and Navy Departments of the United States of America to establish and maintain courses of military and naval training, qualifying men student graduates of such courses for reserve commission awards, as a part of its curriculum. The Board of Regents is authorized to enter into mutually agreeable contracts for such purposes.

"The work of the students enrolling in such courses may be credited toward degree requirements under such regulations as the Board of Regents may prescribe.

"No student of the University shall ever be required to take any portion of such training as a condition for entrance into the University or graduation therefrom."

The amendment was adopted.

Mr. Goodman moved the previous question on the passage of House Bill No. 25 to engrossment, and the main question was ordered.

Mr. Thornberry moved to reconsider the vote by which the previous question was ordered.

Mr. Kennedy moved to table the motion to reconsider.

The motion to table prevailed.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 25 was then passed to engrossment by the following vote:

Yeas—81

Allen	Harp
Allison	Harper
Anderson	Holland
Bailey	Howard
Baker	Hunt
of Fort Bend	Johnson of Ellis
Baker of Grayson	Johnson of Tarrant
Bell	Kern
Blankenship	Kersey
Boethel	Kinard
Bond	Lehman
Boyer	Leyendecker
Bradford	Lock
Broadfoot	London
Burney	McFarland
Celaya	McMurry
Chambers	McNamara
Clark	Mohrmann
Cleveland	Montgomery
Coleman	Nicholson
Colquitt	Oliver
Corry	Petsch
Crossley	Pevehouse
Daniel	Pope
Davis of Jasper	Reaves
Davis of Upshur	Rhodes
Dickison	Segrist
Dickson	Skiles
Donaghey	Spencer
Dowell	Stinson
Dwyer	Taylor
Felty	Tennant
Ferguson	Thornton
Fuchs	Turner
Gilmer	Vale
Goodman	Vint
Gordon, Mrs	Waggoner
Hale	Wells
Hamilton	White
Hardeman	Wilson
Hardin	Winfree

Nays—55

Alsup	Bradbury
Boyd	Bray

Bridgers	McDonald
Brown of Cherokee	Morris
Bundy	Newell
Burkett	Pace
Cauthorn	Piner
Cockrell	Reader of Erath
Colson, Mrs.	Reed
Cornett	Riviere
Faulkner	Roach
Fielden	Roberts
Galbreath	Robinson
Hankamer	Russell
Harrell of Bastrop	Schuenemann
Harrell of Lamar	Shell
Heflin	Smith of Frio
Howington	Smith of Hopkins
Hull	Stoll
Isaacks	Talbert
Keith	Thornberry
Kennedy	Voigt
Kerr	Weldon
King	Westbrook
Langdon	Wood
Little	Worley
McAlister	Wright
McDaniel	

Present—Not Voting

Brown
of Nacogdoches

Absent

Harris	Mays
Hartzog	Ragsdale
Loggins	Tarwater

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda
Monkhouse	

RELATIVE TO HOUSE BILL NO. 9

The Speaker laid before the House, as unfinished business, Senate Concurrent Resolution No. 59, Relative to House Bill No. 9.

The resolution having heretofore been read second time.

Mr. Hankamer submitted the following points of order:

Hon. R. Emmett Morse, Speaker, House of Representatives, Capitol Building, Austin, Texas.

RE: House Bill No. 9, House Concurrent Resolution No. 146 and Senate Concurrent Resolution No. 59.

Hon. Mr. Speaker: I raise the following points of order on Senate Concurrent Resolution No. 59 by Burns, to-wit:

I. Senate Concurrent Resolution No. 59 violates Rule 11 of the Joint

Rules of the House and Senate (page 311, Texas Legislative Manual, Forty-fifth Legislature).

Senate Concurrent Resolution No. 59 provides that House Concurrent Resolution No. 146 shall be endorsed on or attached to House Bill No. 9, and House Concurrent Resolution No. 146 is a resolution authorizing and instructing the Enrolling Clerk of the House to make certain corrections in House Bill No. 9, the intent of the House and Senate in passing said resolution being that said corrections should be made in House Bill No. 9 before same is signed by the Speaker of the House and the President of the Senate, and the bill thereafter presented to the Governor for his action thereon.

Rule 11 of the Joint Rules of both Houses, above referred to, provides that a bill, after having finally passed both Houses, shall be enrolled on paper, with all proper endorsements, and shall be signed by the presiding officer of each branch of the Legislature, as required by the Constitution, before it is presented to the Governor. Such Rule does not provide for the presentation of a measure to the Governor for his action thereon partly in the form of a bill and partly in the form of a resolution.

Unquestionably, the phrase "with all proper endorsements," as contained in Rule 11 of the Joint Rules, refers to endorsements as to the history of the measure relative to its passage through both the House and Senate, and does not contemplate the attaching to a bill a resolution which would be a part of the bill.

II. Senate Concurrent Resolution No. 59 violates Section 30 of Article 3 of the Constitution of the State of Texas which provides: "No law shall be passed, except by bill, and no bill shall be so amended in its passage through either House as to change its original purpose."

Senate Concurrent Resolution No. 59 provides that the corrective resolution relating to House Bill No. 9 (House Concurrent Resolution No. 146) shall be attached to or endorsed on House Bill No. 9, which would then cause House Bill No. 9 to assume the form of being partly a bill and partly a resolution, and since House Bill No. 9 is a law enacted by the Legislature, it is fundamental that Section 30 of Article 3 of the Constitu-

tion of the State of Texas would be violated in that the Legislature would be attempting to enact a law in a form other than through the passage of a bill.

Furthermore, on this point, the Legislature would not be presenting to the Governor for his action a complete and composite bill, and the situation created by the procedure called for in Senate Concurrent Resolution No. 59 would make possible a veto by the Governor of House Bill No. 9, and the approval of House Concurrent Resolution No. 146, or vice versa, and it cannot be logically contended that it was not the intention of the Legislature, in the passage of House Concurrent Resolution No. 146, that the corrections therein authorized to House Bill No. 9, should not be included in, and become a part of House Bill No. 9 before it is signed by the Speaker of the House and President of the Senate and presented to the Governor for his action thereon.

III. Senate Concurrent Resolution No. 59 attempts to provide for the amending of a law by the passage of a resolution which also is contrary to the provisions of Section 30 of Article 3 of the Constitution of Texas, above quoted.

On this point, House Bill No. 9 amends specific Acts of former Sessions of the Legislature, and House Concurrent Resolution No. 146 merely provides for certain corrections to be made in House Bill No. 9 before same is signed by the Speaker of the House and the President of the Senate and presented to the Governor for his action.

To attempt to present House Concurrent Resolution No. 146 to the Governor along with House Bill No. 9 as separate entities, we would have the situation existing whereby House Concurrent Resolution No. 146 would, in effect, be amending specific statutes through the medium of a resolution, which is prohibited under the Constitution.

Respectfully submitted,

HAROLD M. HANKAMER.

The Speaker overruled the points of order.

Mr. Thornton moved to table Senate Concurrent Resolution No. 59.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—99

Allen	Hunt
Allison	Johnson of Ellis
Alsup	Johnson of Tarrant
Anderson	Kern
Bailey	Kersey
Bell	Kinard
Blankenship	Langdon
Boethel	Lehman
Boyer	Leyendecker
Bradbury	Little
Bradford	Lock
Bray	Mays
Bundy	McAlister
Cauthorn	McDaniel
Celaya	McFarland
Chambers	McMurry
Clark	McNamara
Cleveland	Montgomery
Cockrell	Newell
Coleman	Nicholson
Colquitt	Pace
Colson, Mrs.	Petsch
Corry	Pevehouse
Crossley	Pope
Daniel	Ragsdale
Davis of Upshur	Reader of Erath
Dickson	Reaves
Donaghey	Reed
Dwyer	Rhodes
Faulkner	Riviere
Felty	Roberts
Ferguson	Robinson
Galbreath	Schuenemann
Gilmer	Segrist
Goodman	Shell
Gordon, Mrs.	Smith of Frio
Hamilton	Smith of Hopkins
Hankamer	Stinson
Hardeman	Stoll
Hardin	Tarwater
Harp	Taylor
Harper	Thornberry
Harrell of Bastrop	Thornton
Harrell of Lamar	Turner
Harris	Vale
Hartzog	Voigt
Heflin	Winson
Howard	Winfree
Howington	Worley
Hull	

Nays—31

Baker	Davis of Jasper
of Fort Bend	Dickison
Baker of Grayson	Dowell
Boyd	Hale
Bridgers	Holland
Brown of Cherokee	Keith
Burkett	Kennedy
Cornett	Kerr

Mohrmann	Tennant
Morris	Waggoner
Oliver	Weldon
Roach	Wells
Russell	Westbrook
Skiles	White
Spencer	Wood
Talbert	Wright

Absent

Bond	Isaacks
Broadfoot	King
Brown	Loggins
of Nacogdoches	London
Burney	McDonald
Fielden	Piner
Fuchs	Vint

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda
Monkhouse	

HOUSE BILL NO. 984 WITH SENATE AMENDMENTS

Mr. Hardin called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 984, A bill to be entitled "An Act conferring additional powers on school districts having a relatively large percentage of delinquent taxes including power to borrow money and issue obligations secured by such taxes and to make supplementary pledges of taxes hereafter becoming delinquent to secure the release of funds pledged for such obligations; providing that the provisions of this Act may be cumulative of all other laws, but that in the event of conflict, the provisions hereof shall prevail; enacting provisions incident to and relating to the subject, and declaring an emergency."

On motion of Mr. Hardin, the House concurred in the Senate amendments by the following vote:

Yeas—121

Allen	Boyer
Allison	Bradbury
Alsup	Bradford
Anderson	Bridgers
Bailey	Broadfoot
Baker	Brown of Cherokee
of Fort Bend	Bundy
Baker of Grayson	Burkett
Bell	Cauthorn
Blankenship	Celaya
Boyd	Chambers

Clark	McFarland
Cleveland	McMurry
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Oliver
Davis of Jasper	Pace
Davis of Upshur	Petsch
Dickison	Pevehouse
Dickson	Piner
Donaghey	Pope
Dowell	Ragsdale
Faulkner	Reader of Erath
Felty	Reaves
Ferguson	Reed
Fuchs	Rhodes
Galbreath	Riviere
Gilmer	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Skiles
Harper	Smith of Frio
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Spencer
Hartzog	Stinson
Heflin	Stoll
Holland	Talbert
Howington	Tarwater
Hunt	Taylor
Johnson of Ellis	Tennant
Johnson of Tarrant	Thornberry
Keith	Thornton
Kennedy	Turner
Kern	Vale
Kerr	Voigt
Kinard	Waggoner
Langdon	Weldon
Lehman	Wells
Leyendecker	Westbrook
Little	White
Lock	Wilson
Mays	Winfree
McAlister	Wood
McDaniel	Worley
McDonald	Wright

Present—Not Voting

Bray	Kersey
Brown	
of Nacogdoches	

Absent

Boethel	Goodman
Bond	Harp
Burney	Harris
Crossley	Howard
Daniel	Hull
Dwyer	Isaacks
Fielden	King

Loggins	Newell
London	Shell
Monkhouse	Vint

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Celaya offered the following resolution:

H. C. R. No. 183, To provide for adjournment sine die.

Be it resolved by the House of Representatives, the Senate of Texas concurring, that:

Conditioned that the Senate adopt this resolution on or before June 7, 1939, the Regular Session of the the Forty-sixth Legislature stand adjourned sine die on Friday, June 16, 1939, at 12:01 o'clock noon.

CELAYA,
HULL,
ALSUP,
HANKAMER,
BRAY,
BURKETT
RUSSELL,
GOODMAN,
TALBERT,
BOYER,
DONAGHEY,
VALE,
WOOD,
REED,
McALISTER,
BRADFORD,
DICKSON,
TAYLOR,
WAGGONER,
SHELL,
HEFLIN,
CORY,
THORNTON,
ROBERTS,
BLANKENSHIP,
LOGGINS,
HARTZOG,
SEGRIST,
CLEVELAND,
CLARK,
JOHNSON of Tarrant,
KINARD.

The resolution was read second time.

Mr. Davis of Upshur moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—73

Allen	Keith
Allison	Kennedy
Bailey	Kern
Bell	Kerr
Boyd	King
Bradbury	Lehman
Bridgers	Leyendecker
Broadfoot	Little
Brown of Cherokee	Lock
Brown	London
of Nacogdoches	McDonald
Bundy	McNamara
Cockrell	Mohrmann
Coleman	Morris
Colquitt	Newell
Colson, Mrs.	Oliver
Cornett	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Reader of Erath
Dickison	Reaves
Dwyer	Rhodes
Faulkner	Riviere
Ferguson	Roach
Fuchs	Robinson
Galbreath	Smith of Frio
Gordon, Mrs.	Spencer
Hale	Stoll
Hamilton	Tennant
Hardeman	Thornberry
Harper	Turner
Harrell of Bastrop	Voigt
Harrell of Lamar	Weldon
Harris	Wells
Heflin	Westbrook
Holland	White
Hunt	Wilson
Isaacks	Winfree

Nays—55

Alsup	Hardin
Anderson	Harp
Baker of Grayson	Hartzog
Blankenship	Howard
Boethel	Howington
Boyer	Hull
Bradford	Johnson of Ellis
Bray	Johnson of Tarrant
Burkett	Kersey
Cauthorn	Loggins
Celaya	McAlister
Chambers	McDaniel
Clark	McFarland
Cleveland	McMurry
Crossley	Montgomery
Dickson	Nicholson
Donaghey	Pace
Dowell	Ragsdale
Felty	Reed
Goodman	Roberts
Hankamer	Schuenemann

Segrist	Taylor
Shell	Thornton
Skiles	Vale
Smith of Hopkins	Waggoner
Stinson	Wood
Talbert	Wright
Tarwater	

Absent

Baker	Kinard
of Fort Bend	Langdon
Bond	Mays
Burney	Petsch
Corry	Pope
Daniel	Russell
Fielden	Vint
Gilmer	Worley

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda
Monkhouse	

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 200

Mr. Bell submitted the following Conference Committee Report on Senate Bill No. 200:

Austin, Texas, June 1, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on Senate Bill No. 200, have met and beg leave to recommend that said Senate Bill No. 200 be passed in the form attached hereto.

Respectfully submitted,

GRAVES,
REDDITT,
MARTIN,
LANNING,
MOFFETT.

On the part of the Senate.

BELL,
JOHNSON of Tarrant,
SEGRIST,
COLEMAN,
SCHUENEMANN.

On the part of the House.

S. B. No. 200

A BILL

To Be Entitled

An Act defining bedding to include mattresses, pillows, bolsters, feather

beds, etc., requiring the labelling of bedding as to whether new or second hand materials are used; prohibiting the use of materials from dump-grounds, junk yards and hospitals; requiring the germicidal treatment of second-hand materials; authorizing the State Board of Health with enforcement; requiring permits for manufacture, repair or renovation and application of germicidal process; the payment of fees for permits; providing for the issuance of adhesive stamps and registration for selling bedding; providing that proceeds be placed in State Treasury in General Fund; making certain emergency appropriations; making appropriations for the biennium September 1st, 1939, to August 31, 1941; providing expenditures under this Act shall never exceed revenues received from fees, etc., collected hereunder; providing for a penalty; requiring bedding manufacturers or renovators to keep premises sanitary; excepting all bedding manufactured, repaired, renovated and/or sold prior to effective date; providing that if any part of this Act shall be declared unconstitutional, it shall not affect any other part thereof, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Definitions:

(a). The term "bedding" as used in this Act shall mean mattresses, pillows, bolsters, feather beds and other filled bedding of any description.

(b). The term "Department" when used in this Act shall mean the State Board of Health.

(c). The term "person" as used in this Act shall include persons, partnerships, companies, corporations and associations.

(d). The term "renovate" as used in this Act shall mean to restore to former condition or to place in a good state of repair.

(e). The term "materials" as used in this Act shall mean all articles, or portions thereof, used as filling or covering in the manufacture, repair or renovation of bedding.

(f). The term "new" as used in this Act shall mean any article or material which has not been previously used for any purpose.

(g). The term "second-hand" as used in this Act shall mean any article or material, or portion thereof, of which former use has been made in any manner whatsoever.

(h). Wherever in this Act the singular is used, the plural shall be included; and where the masculine gender is used, the feminine and neuter shall be included.

Section 2. Labelling of Bedding Required:

(a). All bedding shall bear securely attached thereto and plainly visible, a substantial white cloth tag upon which shall be indelibly stamped or printed with black ink, in the English language, a statement showing whether new materials or second-hand materials have been used in filling such bedding, and type or grade of cotton and all other materials used in filling mattress to which attached when new material are used, with approximate percentages when mixed; what germicidal treatment, if any, has been applied to the materials or to the bedding; the date of such germicidal treatment; the number of the permit of the person manufacturing the bedding; and the number of the permit of the person applying such germicidal treatment, if any.

(b). The terms used on the tag to describe materials shall be restricted to those defined in the regulations of the Department, and no trade or substitute terms shall be used.

(c). It shall be unlawful to make any false or misleading statements on the tag required by this Section. It shall be unlawful for any person to remove, deface, alter, or cause to be removed, defaced or altered, any tag or statement contained thereon for the purpose of defeating any of the provisions of this Act. The placing of registration stamps required in Section 7 of this Act over any lettering on the tag, shall be construed to be defacement of the tag.

(d). The size of the tag to be affixed to new bedding required by this Section shall be not less than six (6) square inches, and the lettering thereon, covering the statement of filling materials, shall be in plain type not less than one-eighth ($\frac{1}{8}$) inch in height.

(e). Every article of bedding manufactured for resale containing second-hand material, shall bear, securely

sewn thereto on all four (4) sides of the tag, attached to both sides of the article of bedding, a substantial white cloth tag four (4) by eight (8) inches in size, upon which shall be indelibly stamped or printed in red ink, in the English language, in plain type not less than one-half ($\frac{1}{2}$) inch in height, stating: "second-hand material."

Section 3. Use of Materials from Dump-Grounds and Hospitals:

No person shall manufacture, repair or renovate into bedding or batting, using discarded materials obtained from dump-grounds, junk yards, or hospitals within or without the State of Texas.

Section 4. Germicidal Treatment of Materials:

All second-hand materials, or portions thereof, for resale, shall be subjected to a germicidal treatment currently recommended by the Department.

Section 5. Enforcement of Act:

The State Board of Health is hereby charged with the enforcement of this Act, for the protection of health and to prevent the spread of disease. It is further empowered, and its duty shall be to make, amend, alter or repeal general rules and regulations of procedure for carrying into effect all the provisions of this Act, and to prescribe means, methods, and practices to make effective such provisions.

Section 6. Permits:

(a). No person shall engage in the business of manufacturing, repairing or renovating any bedding unless he shall have obtained a permit from the Department.

(b). No person shall be considered to have qualified to apply an acceptable germicidal process until such process has been registered with and approved by the Department, after which a numbered permit shall then be issued by the Department. Such permit shall expire one year from date of issue and shall thereafter be annually renewed at the option of the permit holder upon submission of proof of continued compliance with the provisions of this Act and the regulations of the Department. Every person to whom a permit has been issued shall keep such permit conspicuously posted on the premises of his place of business near the treat-

ment device. Holders of permits to apply germicidal treatment shall be required to keep an accurate record of all materials which have been subjected to germicidal treatment, including the source of material, date of treatment, and name and address of the buyer of each, and such records shall be available for inspection at any time by authorized representatives of the Department.

(c). For all initial permits issued, as required by the preceding paragraph (a) of this Section, there shall, at the time of issuance thereof, be paid by the applicant to the Department, a fee of Five (\$5.00) Dollars. An annual renewal charge of Two Dollars and Fifty Cents (\$2.50) shall be paid to the same Department.

(d). For all initial permits issued, as required by the preceding paragraph (b) of this Section, there shall, at the time of issuance thereof, be paid by the applicant, to the Department, a fee of Twenty-five (\$25.00) Dollars. An annual renewal charge of One (\$1.00) Dollar shall be paid to the same Department.

(e). Any permit issued in accordance with the provisions may be revoked by the State Health Officer upon proof of violation of any of the provisions of this Act. A reissuance of said permit shall be subject to provisions as set forth for an initial permit.

Section 7. Registration for Selling:

(a). No person shall manufacture, renovate, sell or lease or have in his possession with intent to sell or lease in the State of Texas, any bedding covered by the provisions of this Act, unless there be affixed to the tag required by this Act by the person manufacturing, renovating, selling or leasing the same, an adhesive stamp prepared and issued by this Department.

(b). The Department shall register all applicants for stamps and assign to every such person a registration number, which thereafter shall constitute his identification record, and said identification shall not be used by any other person.

(c). Adhesive stamps as provided for by this Act shall be furnished by the Department in quantities of not less than five hundred (500), for which the applicant shall pay at the rate of Five (\$5.00) Dollars for each

five hundred (500) stamps. The State Health Officer is hereby authorized to prepare and cause to be printed, adhesive stamps which shall contain a replica of the seal of the State of Texas, the registry number of the person applying therefor, and such other matter as the State Health Officer shall direct.

Section 8. Proceeds Placed in General Fund:

All moneys obtained from the sale of stamps, fees and other moneys collected in the administration of this Act shall be payable to the Department, and when collected shall thereafter be transmitted to the State Treasury and be placed in the General Fund and be appropriated out in such amounts that may be deemed necessary by the Legislature. In the administration of this enactment the

Regular Departmental Appropriation Bill will be adopted.

Section 8a. There is hereby appropriated immediately out of the General Fund of the State Treasury not otherwise appropriated a sum of Ten Thousand (\$10,000.00) Dollars to carry out the purposes and provisions of this Act for the remainder of the fiscal year ending August 31, 1939, such funds to be disbursed by order of the State Health Officer and the Treasurer of this State.

Section 8b. The several sums of money herein specified or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to carry out the purposes and provisions of this Act for the two year period beginning September 1, 1939, and ending August 31, 1941:

		For the Year Ending	
		August 31, 1940	August 31, 1941
Salaries:			
1. Supervisor	\$	3,000.00	\$ 3,000.00
2. Testing Engineer and Chemist		2,700.00	2,700.00
3. District Supervisor		1,800.00	1,800.00
4. District Supervisor		1,800.00	1,800.00
5. District Supervisor		1,800.00	1,800.00
6. District Supervisor		1,800.00	1,800.00
7. District Supervisor		1,800.00	1,800.00
8. District Supervisor		1,800.00	1,800.00
9. Stenographer		1,350.00	1,350.00
Total Salaries	\$	17,850.00	\$ 17,850.00
Maintenance and Miscellaneous			
1. Traveling Expenses	\$	10,500.00	\$ 10,500.00
2. Laboratory Truck		3,000.00	
3. Laboratory Equipment		1,000.00	
4. Office Furniture		250.00	
5. Office Supplies		1,800.00	
	\$	16,550.00	\$ 10,500.00
Grand Total	\$	34,400.00	\$ 28,350.00

Section 8c. The expenditure of any moneys under this Act shall never exceed the amount of money obtained from the collection of money required by any fee, permit, license of registration required by the provisions of this Act.

Section 9. Penalties:

(a). Any person, who shall be convicted of violation of any of the provisions of this Act, or of the rules

and regulations established thereunder, shall be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense.

(b). Each day of violation shall constitute a separate offense.

Section 10. Sanitary Premises:

Every bedding manufacturer or renovator shall keep his place of business in a sanitary condition satis-

factory to the Health Department, and failure to do so shall be sufficient cause to revoke his permit.

Section 11. Exceptions:

The provisions of this Act shall apply to all bedding manufactured, repaired, renovated and/or sold after the effective date hereof; but the same shall not apply to bedding which has been manufactured, repaired or renovated prior to the effective date hereof.

Section 12. Unconstitutionality:

If any Section, Subsection, sentence, clause, phrase or word of this Act is for any reason, held to be unconstitutional, such decree shall not affect the validity of any remaining portion of this Act.

Section 13. Emergency Clause:

The fact that there is no law regulating the business of manufacturing bedding, and the further fact that the people of this State are daily exposed to the hazards incident thereto, and that passage of this law will protect the people from such hazards, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three (3) several days in each House be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Bell, the Report was adopted by the following vote:

Yeas—101

Allen	Clark
Allison	Cleveland
Alsup	Cockrell
Bailey	Coleman
Baker of Grayson	Colquitt
Bell	Colson, Mrs.
Blankenship	Corry
Boethel	Davis of Jasper
Bond	Dickison
Boyd	Dickson
Boyer	Dowell
Bradbury	Dwyer
Bradford	Faulkner
Bray	Fuchs
Bridgers	Galbreath
Brown of Cherokee	Goodman
Brown	Gordon, Mrs.
of Nacogdoches	Hale
Bundy	Hankamer
Cauthorn	Hardeman
Celaya	Harp

Harper	Pope
Harrell of Lamar	Ragsdale
Hartzog	Reader of Erath
Heflin	Reaves
Holland	Reed
Howard	Rhodes
Hull	Riviere
Johnson of Tarrant	Roach
Keith	Robinson
Kennedy	Schuenemann
King	Segrist
Langdon	Shell
Leyendecker	Skiles
Little	Smith of Hopkins
Lock	Stinson
Loggins	Stoll
Mays	Talbert
McAlister	Taylor
McDaniel	Tennant
McDonald	Thornberry
McFarland	Thornton
McMurry	Turner
McNamara	Vale
Montgomery	Voigt
Morris	Waggoner
Newell	Wells
Pace	Wilson
Petsch	Winfree
Pevehouse	Wood
Piner	Worley

Nays—27

Burkett	Kersey
Chambers	Lehman
Cornett	London
Crossley	Mohrmann
Davis of Upshur	Nicholson
Donaghey	Oliver
Ferguson	Roberts
Hamilton	Smith of Frio
Hardin	Spencer
Howington	Tarwater
Hunt	Weldon
Johnson of Ellis	Westbrook
Kern	Wright
Kerr	

Absent

Anderson	Gilmer
Baker	Harrell of Bastrop
of Fort Bend	Harris
Broadfoot	Isaacks
Burney	Kinard
Daniel	Russell
Felty	Vint
Fielden	White

Absent—Excused

Dean	Reader of Bexar
Derden	Smith
Leonard	of Matagorda
Monkhouse	

**EXTENDING INVITATION TO
MEXIA HIGH SCHOOL
BAND**

Mr. Hardin offered the following resolution:

H. S. R. No. 311, Extending invitation to Mexia High School Band.

Whereas, The Mexia High School Band has received many honors throughout the State of Texas and the Nation, having won the National Championship; and

Whereas, The Members of the House of Representatives would enjoy hearing this group of outstanding musicians; now, therefore, be it

Resolved by the House of Representatives, That the Mexia High School Band be extended an invitation to present a brief program in the Hall of the House of Representatives on Wednesday, June 7, 1939, at 11:45 a. m.

The resolution was read second time, and was adopted.

**CONFERENCE COMMITTEE
EXCUSED**

On motion of Mr. Allison, the Conference Committee on House Bill No. 190 was granted leave of absence temporarily for this afternoon, on account of important committee work.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 1121, "An Act creating a Special Road Law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of May 15th, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

H. B. No. 927, "An Act authorizing the Commissioners' Court to levy a tax not to exceed ten cents (10c) on

the One Hundred Dollar (\$100) valuation upon personal and/or real property for the purpose of paying for the immunization of school children and indigent people from communicable diseases; authorizing the Commissioners' Court to pay as much as one-half or any portion thereof as they may deem reasonable for the treatment of indigent people other than paupers; providing a savings clause, and declaring an emergency."

H. B. No. 1109, "An Act amending House Bill No. 884 of the Regular Session of the Forty-sixth Legislature relating to the taking of collared peccary or javelina or their hides, and declaring an emergency."

H. B. No. 1123, "An Act creating a more efficient road law for Red River County, Texas, validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners Court of said County to issue serial coupon bonds of said County in the funding of said time warrants, and to levy all or any part of the Fifteen Cents Special Road and Bridge Maintenance Tax of said County for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional such holding shall not impair or invalidate any other parts of this Act; providing that this Act shall be cumulative of General Laws; but that in case of conflict this Act shall control, and declaring an emergency."

H. B. No. 1037, "An Act amending Section 2, of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 284, Acts of the Forty-fifth Legislature, Regular Session, as amended by Chapter 391, Acts of the Forty-fifth Legislature, Regular Session, by providing that in counties with a taxable valuation of not less than Fifty-one Million, One Hundred Thousand (\$51,100,000.00) Dollars, nor more than Fifty-one Million Four Hundred Thousand (\$51,400,000.00) Dollars, taxable valuation for county purposes according to the valuation as shown on the County Tax Assessor-Collector's rolls for the cur-

rent year of 1938, the Justices of the Peace and Constables shall be allowed to retain out of the fees collected by such officers the sum of Thirty-six Hundred (\$3,600.00) Dollars per annum, and declaring an emergency."

H. B. No. 1124, "An Act creating and establishing Red River County Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation, and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon a two-thirds vote of the qualified electors, who own taxable property in said District and who have rendered the same for taxation, voting an election, etc., and declaring an emergency."

H. B. No. 1117, "An Act requiring any person hunting any quail in Comanche County upon the private lands of another person in Comanche County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit, providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act, etc., and declaring an emergency."

ADJOURNMENT

Mr. Blankenship moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Mays moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion to adjourn prevailed, and the House, accordingly, at 5:00 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bill No. 1128.

Municipal and Private Corporations: Senate Bill No. 485.

Highways and Motor Traffic: Senate Bill No. 481.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 5, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 425, A bill to be entitled "An Act prohibiting a freight train to consist of more than seventy cars exclusive of caboose, to be run on any Texas Railroad; prohibiting a passenger train to consist of more than fourteen cars to be run on any Texas Railroad; providing for a penalty for violation of laws, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 927, "An Act authorizing the Commissioners Courts of certain counties, at their option, to levy a tax not to exceed Ten (10) Cents on the One Hundred (\$100.00) Dollars valuation upon personal and real property for the purpose of creating a county health unit and paying for medical supplies and services for the immunization of school children and indigent people from communicable diseases; authorizing the Commissioners Court to pay as much as one-half or any portion thereof as they may deem reasonably necessary for the treatment of indigent people other than paupers; providing for the creation of a county health unit fund, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1124, "An Act creating and establishing Red River County Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation, and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon a two-thirds vote of the qualified electors, who own taxable property in said District and who have rendered the same for taxation, voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that portions of the District hereby created are also included in other road districts having outstanding bonds shall not affect the District hereby created or its power hereby created; and providing that liability of territory included in this District and other road districts which have issued bonds shall not be affected, and for the levy, assessment, and collection of taxes on said territory for said bonds; and providing that this Act shall not validate said bonds nor be construed as authorizing the creation of indebtedness in excess of the limit established by Article III, Section 52, of the Constitution; determining that all of the lands in said District will be benefited by additional road improvement; providing that the provisions of this Act shall prevail in the event of conflict with any other General or Special Law; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof, and declaring an emergency."

visions hereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1123, "An Act creating a more efficient road law for Red River County, Texas; validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners Court of said County to issue serial coupon bonds of said County in the funding of said time warrants, and to levy all or any part of the Fifteen (15) Cents Special Road and Bridge Maintenance Tax of said County for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional such holding shall not impair or invalidate any other parts of this Act; providing that this Act shall be cumulative of General Laws but that in case of conflict this Act shall control, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1121, "An Act creating a Special Road Law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of May 15, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1117, "An Act requiring any person hunting any quail in Comanche County upon the private lands of another person in Comanche County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act; and repealing all laws in conflict with any provision of this Act, in so far as they relate to Comanche County, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1109, "An Act amending House Bill No. 884 of the Regular Session of the Forty-sixth Legislature relating to the taking of collared peccary or javelina or their hides, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 6, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1037, "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature,

Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 284, Acts of the Forty-fifth Legislature, Regular Session, as amended by Chapter 391, Acts of the Forty-fifth Legislature, Regular Session, by providing that in counties with a taxable valuation of not less than Fifty-one Million, One Hundred Thousand (\$51,100,000.00) Dollars, nor more than Fifty-one Million, Four Hundred Thousand (\$51,400,000.00) Dollars taxable valuation for county purposes and in all counties with a taxable valuation for county purposes of not less than Twenty-seven Million, Nine Hundred and Fifty Thousand (\$27,950,000.00) Dollars, nor more than Twenty-seven Million, Nine Hundred and Sixty Thousand (\$27,960,000.00) Dollars, according to the valuation as shown on the County Tax Assessor-Collector's rolls for the current year of 1938, the Commissioners Courts shall have the power to fix the maximum amount of fees the Justices of the Peace and Constables shall be allowed to retain out of the fees collected by such officers, the maximum amount to be retained shall not exceed the sum of Thirty-six Hundred (\$3,600.00) Dollars per annum; limiting amount of quarterly payment out of fees collected during quarter, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

EIGHTIETH DAY

(Wednesday, June 7, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Boyd
Allen	Boyer
Allison	Bradbury
Alsup	Bradford
Anderson	Bray
Bailey	Bridgers
Baker	Broadfoot
of Fort Bend	Brown of Cherokee
Baker of Grayson	Brown
Bell	of Nacogdoches
Blankenship	Bundy
Boethel	Burkett
Bond	Burney